## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	ITED STATES OF AMERICA,	) 8:16CR76
	Plaintiff,	)
	vs.	) DETENTION ORDER
RY	AN GABEL,	
	Defendant.	}
A.	Order For Detention  After waiving a detention hearing pursuant to 18 U.S.C. § 3142(e) and (i)	nant to 18 U.S.C. § 3142(f) of the Bail Reform orders the above-named defendant detained
B.	The Court orders the defendant's deter  X By a preponderance of the e conditions will reasonably assure X By clear and convincing evidence	
C.	contained in the Pretrial Services Repo  X (1) Nature and circumstances of the crime: conspirate violation of 21 U.S.C. years imprisonment.  (b) The offense is a crime (c) The offense involves	of the offense charged: by to distribute methamphetamine (Count I) in § 846 carries a maximum sentence of twenty e of violence.
	may affect w The defenda X The defenda X The defenda The defenda The defenda ties. Past conduc X The defenda Court procee	ant appears to have a mental condition which whether the defendant will appear. In that has no family ties in the area. In that has no steady employment. In that has no substantial financial resources. In that has no substantial financial resources. In that has no substantial financial resources. In that has not a long time resident of the community. In the defendant: In the defendant: In that has a history relating to drug abuse. In that has a significant prior criminal record. In that a prior record of failure to appear at

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	Release pending trial, sentence, appeal or completion of sentence.	i
	(c) Other Factors:	
	The defendant is an illegal alien and is subject to deportation.	,
	The defendant is a legal alien and will be subject to	)
	deportation if convicted.	L
	The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:	_
V	(1) The nature and pariouspace of the denger peed by the defendant's	
	(4) The nature and seriousness of the danger posed by the defendant's release are as follows: The nature of the charges in the Indictment and the defendant's substance abuse and criminal history.	
Х	(5) Rebuttable Presumptions	
	In determining that the defendant should be detained, the Court also relied	
	on the following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) which the Court finds the defendant has not rebutted:	)
	X (a) That no condition or combination of conditions will reasonably	,
	assure the appearance of the defendant as required and the safety	′
	of any other person and the community because the Court finds that	1
	the crime involves: (1) A crime of violence; or	
	(2) An offense for which the maximum penalty is life	<b>)</b>
	imprisonment or death; or	
	X (3) A controlled substance violation which has a maximur	n
	penalty of 10 years or more; or (4) A felony after the defendant had been convicted of tw	0
	or more prior offenses described in (1) through (3)	
	above, <u>and</u> the defendant has a prior conviction for one	<del>)</del>
	of the crimes mentioned in (1) through (3) above which	
	is less than five years old and which was committed while the defendant was on pretrial release.	i
X (b) That no condition or combination of conditions will reason		,
	assure the appearance of the defendant as required and the safety	,
	of the community because the Court finds that there is probable	<b>;</b>
	cause to believe:	
	X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of	
	10 years or more.	
	(2) That the defendant has committed an offense under 1	
	U.S.C. § 924(c) (uses or carries a firearm during and in	
	relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment	
	if committed by the use of a deadly or dangerous	
	weapon or device).	

 D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending

 appeal; and

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- The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: February 26, 2016.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge